



## DECLARATION AND POWER OF ATTORNEY

# COPY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and/or joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PREVENTION AND TREATMENT OF AMYLOIDOGENIC DISEASE** the specification of which was filed on May 26, 2000 as Application No. 09/580,018.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under<br>35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
|         |                 |                |                                      |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
|                 |             |

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|--------|
| 09/322,289      | May 28, 1999   |        |




**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Joe Liebeschuetz, Reg. No. 37,505  
William M. Smith, Reg. No. 30,223  
Nina M. Ashton, Reg. No. 37,273  
Jean M. Duvall, Reg. No. 32,731

| Send Correspondence to:   | Direct Telephone Calls to:  |
|---|---|
| Joe Liebeschuetz<br>TOWNSEND and TOWNSEND and CREW LLP<br>Two Embarcadero Center, 8 <sup>th</sup> Floor<br>San Francisco, California 94111-3834 | Name: Joe Liebeschuetz<br>Reg. No.: 37,505<br>Telephone: 650-326-2400 |

|                          |  |   |   |                              |
|--------------------------|--|---|---|------------------------------|
| Full Name of Inventor 1: | Last Name:<br><b>SCHENK</b>                              | First Name:<br><b>DALE</b>                  | Middle Name or Initial:<br><b>B.</b>            |                              |
| Residence & Citizenship: | City:<br><b>Burlingame</b>                               | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>1542 Los Altos Drive</b>      | City:<br><b>Burlingame</b>                  | State/Country:<br><b>California</b>             | Postal Code:<br><b>94010</b> |
| Full Name of Inventor 2: | Last Name:<br><b>BARD</b>                                | First Name:<br><b>FREDERIQUE</b>            | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>Pacifica</b>                                 | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>France</b>        |                              |
| Post Office Address:     | Post Office Address:<br><b>1111 Park Pacifica Avenue</b> | City:<br><b>Pacifica</b>                    | State/Country:<br><b>California</b>             | Postal Code:<br><b>94044</b> |
| Full Name of Inventor 3: | Last Name:<br><b>YEDNOCK</b>                             | First Name:<br><b>THEODORE</b>              | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>Forest Knolls</b>                            | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>184 Arroyo Road</b>           | City:<br><b>Forest Knolls</b>               | State/Country:<br><b>California</b>             | Postal Code:<br><b>94933</b> |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|   |  |   |
|---|--|---|
| Signature of Inventor 1<br><br> | Signature of Inventor 2<br><br> | Signature of Inventor 3<br><br> |
| Dale B. Schenk  | Frederique Bard  | Theodore Yednock  |
| Date <i>Nov 27, 2000</i>  | Date <i>10/02/00</i>   | Date <i>10/2/00</i>   |

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE**

**INTERNATIONAL FORM**

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.**

To: (Name and Address of Depositor or Attorney)

Elan Pharmaceuticals, Inc.  
Attn: Nina Ashton  
800 Gateway Boulevard  
South San Francisco, CA 94080

Deposited on Behalf of: Elan Pharmaceuticals, Inc.

**Identification Reference by Depositor:**

Murine Hybridoma Cell Line: RB44-10D5.19.21  
Murine Hybridoma Cell Line: RB96 3D6.32.2.4

**Patent Deposit Designation**

PTA-5129  
PTA-5130

The deposits were accompanied by:    a scientific description    a proposed taxonomic description indicated above. The deposits were received April 8, 2003 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 5, 2003. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: June 2, 2003

cc: Joe Liebeschuetz

Ref: Docket or Case No.: 15270J-004720US

Exhibit I